REMARKS

We are in receipt of the Office Action dated October 22, 2003, and the following remarks are made in light thereof.

Claims 1-12 are pending in the application. Pursuant to the Office Action, claims 1-4 are rejected under 35 USC 103 as being unpatentable over Antoniadis et al. 6,366,017 in view of Onitsuka et al. 6,049,167. Claims 5-12 stand rejected under 35 USC 103 as being unpatentable over Shibata et al. 6,147,451 in view of Onitsuka et al., and further in view of Codama 6,091,078 and Arai 6,163,110. These rejections are essentially the same as those made by the examiner in the Office Action dated May 14, 2003, except that, with respect to claims 1-4, the examiner additionally argues that an Antoniadis et al.-Onitsuka et al. discloses a light generated in the EL layer being admitted to the cover side and, with respect to claims 5-12, additionally argues that Shibata et al.-Onitsuka et al. in view of Codama-Arai discloses an EL layer wherein a light generated in the EL layer is admitted to the cover material side.

Applicant respectfully disagrees with the examiner's reasons and respectfully requests the examiner to reconsider to the arguments previously made by the applicant. Additionally, even if the combination of Onitsuka et al., with the other references cited by the examiner is appropriate, the combination, and Onitsuka et al. itself, merely disclose a light emitting device which emits a light to a cover material side (top emission type) or a light emitting device which emits a

light to a substrate side (bottom emission type). Although Antoniadis et al. disclose that "these devices will not suffer from light losses usually encountered on device made on glass substrates (due to wave guiding)", (Col. 4, lns. 28-30), Antoniadis et al. merely describe an advantage of a top emission type. None of the references indicate an awareness of the problem on a light waveguided in an EL layer and a transparent electrode. Further, none of the references disclose or suggest the idea that the light waveguided in the EL layer and the transparent electrode is extinguished by filling an inert gas between the transparent electrode and the cover material, and by adjusting the film thickness of the EL layer and the transparent electrode. Even if the combination of the references meets the formula: $d \leq \lambda/4n$, this does not contemplate the concept that the light loss through a thin film itself included in a light emitting device is prevented.

Accordingly, applicant respectfully requests examiner to reconsider and withdraw his rejection of the pending claims and to allow the application.

Respectfully submitted,

Dated: January 21, 2004

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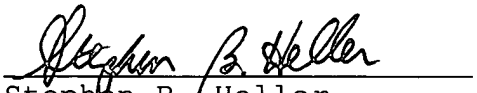
construed as an admission that any subject matter disclosed in the document is necessarily within the inventive field of endeavor, that any disclosure is necessarily prior in time to a particular date which may be relevant to the instant patent application, and/or that any disclosure is otherwise necessarily prior art with respect to the instant invention.

Applicants also respectfully reserve the right to later set forth how the instant invention is distinguished over the disclosure of any document or other art, including the disclosure of those documents discussed herein, that may be cited by the Examiner in rejecting a claim in the present patent application.

This Information Disclosure Statement is being filed after the mailing date of a first Office Action. Accordingly, enclosed is the fee of $180.00. If it is determined that any additional fee is required for this Information Disclosure Statement, please charge our Deposit Account No. 50/1039.

Respectfully submitted,



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